

Oct 13 03 11:34a Diabetes Research

(75) 446-5868

p. 4

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: 1653
VINIK et al.	)	Examiner: H. Robinson
Application Serial No.: 09/659,379	)	
Filed: September 8, 2000	)	
For: HIGH LEVEL OF EXPRESSION OF INGAP IN BACTERIAL AND EUKARYOTIC CELLS	)	Attorney Docket No. 05126.00003

DECLARATION

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I, Aaron I. Vinik, declare:

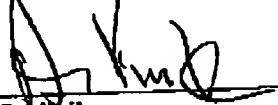
1. I am a named co-inventor on applications S.N. 09/717,095 (Ingap Protein Involved In Pancreatic Islet Neogenesis) and S.N. 09/659,379 (High Level Of Expression Of Ingap In Bacterial And Eukaryotic Cells).
2. Each of these applications are applications for reissue of existing patents.
3. Application S.N. 09/717,095 is a reissue application of U.S. Patent No. 5,840,531, which issued from Application S.N. 709,662, which was a continuation-in-part application of Application S.N. 401,530. Application S.N. 401,530 was filed February 22, 1995.
4. Application S.N. 09/659,379 is a reissue application of U.S. Patent No. 5,804,421, which issued from Application S.N. 909,725, which was a continuation-in-part application of Application S.N. 741,096. Application S.N. 741,096 was filed October 30, 1996.
5. My co-inventors and I could not have filed claims directed to the subject matter claimed in S.N. 741,096 (High Level Of Expression Of Ingap In Bacterial And Eukaryotic Cells) in Application S.N. 401,530 (Ingap Protein Involved In Pancreatic Islet Neogenesis) filed on February 22, 1995, because we had not yet invented that subject matter on February 22, 1995.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like

Oct 13 03 11:34a Diabetes Research

175 446-5868

p.5

so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18  
of the United States Code and that such willful false statements may jeopardize the  
validity of the application or any patent issuing thereon.

Date: 10.13.03Signature:   
Aaron I. Vinik